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A PROBLEM OF PRIMARIES

By J. DE LANCEY VERPLANCK

Introduction.—We often forget the great difference between a majority and a plurality election. By the former the electorate can freely by degrees winnow out its choice from any number of candidates. By the latter it can only choose, in reality, between two nominees.

When the members of a private society are to meet and discuss their candidates, and are to elect by majority, they need not hold any conferences beforehand. They may, if they choose, wait till the meeting and do all their conferring in the open. If the vote is scattered at first, it can be gradually combined on later ballots, as the less popular candidates are given up, until a decision is at length reached. As a matter of fact, some candidates are often nominated before the meeting, but the choice is not confined to these. If a majority party spontaneously scatters its vote on the first ballot it is not thereby defeated; it may gradually unite¹ its vote and win on a later ballot.

How different is the plurality election! Here a large majority would be defeated if it divided its vote spontaneously among several candidates according to individual choice. Success is, therefore, to the largest army of voters instructed beforehand. Spontaneity and freedom are impossible. The fear of "throwing away" votes tends inevitably to narrow the choice to two candidates previously named. The plurality method may be as unsatisfactory when a candidate receives a large majority as when he receives only a plurality. For the winner may be a "machine" candidate supported by a majority party that dared not split its vote, but would really have preferred some other man. Our ordinary political election, being by plurality,

¹The essential advantage of the majority plan is the opportunity for reasonable consolidating of votes *during* the meeting. There is nothing very sacred about the half of the votes plus one. In many cases there would be no harm in a rule allowing a plurality to elect after five unsuccessful ballots had been cast.

is only a small final stage of the real process of determining who is to fill the office.

When we complain of "machines" and "bosses" we sometimes attribute them wholly to corruption and ignorance, forgetting that they are persons who have stepped in to perform that part of the real process of choice which we, ourselves, have as yet no instruments for performing. The machines are not usually popular. Their candidates are accepted from necessity. If we ousted all the present machines, new ones would arise, unless we also reformed our system of nomination or of election.

To make the people more contented, the machine has long maintained a vast drama of primaries and conventions for the pretended popular choice of candidates. This sham pageant of popular representation deceives some and vaguely soothes the mind of others, so as to prevent revolt.

Some men say machine rule is inevitable because the number of persons is small who are at once energetic enough to propose candidates and well informed enough to do so successfully. But this argument does not excuse what we really complain of. What we lack is a fair field open to all. In some cases the right man for a candidate is already known to the people, and, in most cases, some patriotic persons would bring him forward, if only there were a fair field. We complain because the boss compels voters to support certain men, not because he advises them to do so.

Is there any method of election or nomination that would give a large electorate the liberty enjoyed by a club or town meeting when it elects by majority? There are two such: proportional representation and preferential voting. They might be applied either to final elections or to public preliminary elections, into which our primaries may be transformed. Proportional representation might be used at the polls to elect legislative bodies, or at the primaries to elect nominating conventions. Preferential voting might be used at the polls to elect officers of any kind, or at the primaries to nominate them.

Changes in the mode of final election, however desirable in themselves, seem far from the present current of American thought. It is with the primaries we are dissatisfied, it is with the primaries we are experimenting, it is for the primaries that improved methods of choice are likely the sooner to be tried. Shams though the actual

primaries have been, they have yet kept alive in the public mind a desire for real ones.

The Problem.—What sort of primaries will free us from “machines”? Or—to put it more philosophically: By what sort of primaries can our elections be so prepared for, that by primaries and elections together the popular will may be gathered and effected in a manner as easy for the voter as the nature of the case will allow? Ease is the crux of the problem. The labor required by the nature of the case is investigation, proposal and persuasion, by a few, and voting at primaries and polls by many. Our bad system imposes upon any new movement a vast additional labor of organizing and canvassing, which only under very unusual stress will men perform.

As the printing-press has made easy the publication of opinions, so better methods of nomination or election will one day make easy the gathering of the popular voice. The problem of gathering the popular voice is very different from the problem of good government proper. The latter is necessarily difficult, and, like liberty, demands eternal vigilance.

Its Importance.—One sometimes hears nomination reform belittled in this wise: “The bosses will not grant you a good primary system. You must overthrow the bosses first; hence it will be soon enough to talk of a better system when the reformers are in power, and when good men are in power a better system may be little needed.” The answer is: The reform organization when successful will in time degenerate into a machine unless a better system is adopted, and as the framing of a system requires much thought, early discussion is desirable. Also, the reformers may sooner gain public confidence and come into power if pledged to a primary system precluding boss rule.

Attendance.—In probably most of our states we have already protected the primaries from the old-time violence and fraud. The rule of the machine is often said to continue only because the voters are too lazy to attend the primaries. But the recent experience of Baltimore and Minneapolis seems to show that voters are ready to attend the primaries when they feel that their votes will decide something.

Exclusion of Certain Voters.—In many cases at present voters are excluded from Republican and Democratic primaries who cannot pass a boss-made test of party membership. It is not merely

Mugwumps who are thus excluded ; it is also some habitual supporters of each party whose only crime is a certain independence of mind. Even when the men excluded are few, they yet often comprise the natural leaders of anti-machine movements, and hence their exclusion prevents any opposition to the bosses, thereby depriving the primaries of all interest.

One plea for a party test is that under the "open" plan "heelers" sometimes vote in the primaries of both parties pertaining to nomination for the same office. This double voting, however, can easily be prevented without a party test, especially if the primaries of both parties are held at the same time and places. A party test and better government have come together in Minneapolis, but one was not the cause of the other, for recent primary and election figures prove that in spite of the test a great many of the Democrats now vote at the Republican primary—many, doubtless, from good motives. Were enrolment required, sudden changes of party colors would be prevented, but that would merely make bad men lay their plans earlier.

Take as an example of the party test the one prescribed for large cities by the New York primary law. A voter must be enrolled a year beforehand and must state when he enrolls that he is "in general sympathy with the principles of the party" and intends "generally to support" its nominees "at the next general election, state or national." Let us see who is excluded in three general political situations: *First*. One political question is generally acknowledged to be the most important. While admitting of many varieties of opinion, the question has broadly two sides—one party stands for each of these sides. Only a few "cranks" are excluded. *Second*. There are two important questions, like silver and imperialism. Many a voter is bitterly opposed to each party on one of them, and is therefore excluded. *Third*. Old questions have been settled—the old party names have ceased to mean anything. The so-called parties are kept alive by the sentimental attachment of some men, the timidity of others, and the selfish interest of yet others. A new question has arisen, but the parties have not yet taken any stand upon it. Two classes of voters are excluded: (a) Men who glory in some mythical permanent underlying principles of their party, but who think the chances three to two that their party will take for a time the wrong side on the new question, and hence somewhat hope but do not intend "generally to

support" its next nominees; (b) men who have no sympathy with the principles of either party, because they perceive that neither party has any principles.

New Parties.—Sometimes when new questions arise men like from sentiment to retain old party names, but at other such times they retain them chiefly from the fear of throwing away votes. In a city, for instance, where there is agitated the question of "municipal operation" of car lines, some forty per cent of the voters might like to form a "municipal operation" party, and some forty per cent more might like to form a franchise party. So long as these groups are ignorant of their own strength, the individuals composing them will go on voting the Republican and Democratic tickets in city elections for fear of throwing away their votes. A good primary system should be a census of opinions, showing whether a new party is strong enough to take part (without a waste of votes) in the final election. The irrelevant and confusing Republican and Democratic parties in city politics might long ago have vanished had new parties had a fair chance. The way to give this fair chance is simple: Allow candidates for nomination or candidates for delegate, according to the system used, to be placed on the ballot for a public primary under any party name, old or new. Let the right of a party to a place on the ballot of final election depend wholly on the size of its vote at the primary. Let previous elections have nothing whatever to do with it.

Leaders of old parties often take up new issues half-heartedly, or only pretend to take them up. Very different would be parties newly formed for the sake of a definite policy under its natural leaders. We need to call parties by their right names, so that voters may know what they are about.

Organizations.—We should cease to give party organizations, as such, the right to put candidates on the ballot of final election. For, however large organizations may be and however carefully regulated by law, they are still in their nature political clubs. To grant these clubs an easier mode of nominating than the filing of petitions, that independents must use, or even to recognize clubs upon the ballot at all, is utterly to confuse the voter's mind; it is to encourage the superstition that a mysterious "they" have a "divine right" to nominate. We need, therefore, a public primary, or, more correctly, a nominating election, "wholly distinct from organization

elections." We need a nominating election conducted "for the people by the people." We may recognize party names (as designating the opinions of candidates) without recognizing organizations.

Plurality Primaries.—When the modern primary is not an empty show, it is an intermediate election. There is nothing primary about it. It is not a town meeting, where grievances can be discussed and remedies concerted. In some cities and states even the form of the caucus has wholly disappeared, and the primary is merely a set of polling places. Elsewhere a part of the old form still exists, but the right to speak is almost useless, because of plurality choice and the consequent prearrangement of the voting. Plurality choice destroys freedom and prevents a majority from winning except by thorough pre-primary organization. Either all the choosing, or the choosing of the two practical tickets, has been done beforehand.

Plurality primaries are defended on the ground that the contest is purely personal, and the man of greatest vote is therefore likely to be truly representative, since his opponents have no common cause to lose by division. It is true that in a purely personal contest the man with the greatest number of admirers is rather likely to be truly representative of the elective body. But even in this case plurality voting does not show who is admired. Robinson may have more admirers than Smith or Brown, but if rumor says that Smith and Brown will be the leading candidates, most of the voters will choose between them rather than "throw away their votes" on Robinson. Moreover, contests within a party are not always personal, but are often contests of principle.

The True Caucus.—It might seem at first sight that we ought to restore the true caucus, by which is meant a meeting of voters that can ballot repeatedly, a meeting for discussing policies and men, and for electing delegates by majority. As the failure of the old caucuses was due to violence and false counting, we have little or no American experience of how a caucus would behave under legal protection like that which guards the modern election or primary.

Where the caucus would really deliberate, it would be a good political school, like the New England town meeting. Some good men would be drawn out by a deliberative meeting who would not be heard by any other plan. But, on the other hand, good causes would be lost in many a meeting for want of a competent advocate

therein. Many a meeting would go as some petty politician desired simply because most of the voters hung back and waited for others to propose things. It would seem that the few who propose and ably advocate good things ought to be allowed to appeal for votes directly to a fairly large constituency, and not be shut up in a small meeting. The caucus plan of representation is like that used by countless private societies—fraternities, trades unions, churches, etc.—but it is also unlike. For in the private society the local chapter has a common life of its own, its members are known to each other, and it can therefore easily select a real representative from its own membership; while many of the caucuses, being in large cities, would consist of neighbors unknown to each other and having different political admirations. It might be that the only neighbor known in common to many of the voters present would be a petty politician who for selfish ends had taken pains to be known. The caucus would meet too seldom to acquire the self-knowledge or the *esprit du corps* of the local chapter of a private society.

Proportional Representation.—This would not allow the voter to begin matters at the primary, but it would allow many and various candidates for delegate really to compete there for the voter's choice without obtaining the consent of any boss or machine. The voter could scarcely fail to find one among them all who would properly represent his views. He could freely choose one out of many without fear of throwing away his vote.

The forms of proportional representation used for the Belgian Parliament, and for some of the cantonal legislatures of Switzerland, seem unduly complicated for our purpose. On this account it has been suggested that our party conventions be elected by the "single vote." This system is used in electing the Japanese House of Representatives. A province sends from two to eighteen representatives, elected at large. The persons of greatest vote are declared elected, but each voter can vote only for one person. Consequently, in a province with ten members, for instance, any person will be elected who wins the support of one-tenth of the voters, and therefore a large variety of opinions may be represented in the chamber.

Our nominating conventions would be greatly improved if elected by large many-membered districts by this method. There is one disadvantage, however. The anti-machine vote, if unorganized, might be mostly concentrated on a very few persons, and conse-

quently might obtain very few seats. The simplest remedy for this fault would be to abandon the custom of giving the delegates equal power, and to let each delegate cast in the convention as many votes as the people had cast for him at the primary. A delegate would then somewhat resemble a proxy at a corporation meeting.

After each unsuccessful ballot in the conventions the candidate of smallest vote might be compelled by rule to drop out of the race, in order to prevent the deadlocks which might otherwise be likely to occur in a proportionally elected convention.

Proportionally elected conventions have spontaneously appeared in the crude form of "fusion" conferences, such as those which nominated Seth Low for Mayor of New York, and which, unlike our usual conventions of puppets, really deliberated. Men in favor of proportional representation for legislatures should regard nominating conventions as a good field for a first trial of their Swiss plant on American soil.

On the other hand, men opposed to proportional representation for legislatures should favor it for nominating conventions; for they can hardly deny that public opinion should be somewhere gathered from the various opinions of which it is composed. Their best argument is that the collecting process should take place outside the legislature. In these days of complex law, the legislature, it is said, needs all its time to apply the public will to a multitude of little questions, when the general preference of the people has been already gathered. It is said that if minor opinions were represented in the legislature, that body would waste its time in discussing those theories of a few that cannot, at least for many years, be carried out; and that the business of the house would be blocked in consequence. Those who hold this view should welcome proportional representation in nominating conventions as a means of obtaining that assembly, competition, and modification, of many opinions that ought, they admit, take place somewhere.

Preferential Voting.—Preferential voting at primaries would give the voters a direct and free choice between many candidates for nomination. The voter marks his first choice candidate "1," his second choice candidate "2," and so on. The ballots are brought together in one place to be counted. There is a file for each candidate and a file for ineffective ballots. The ballots are first filed according to their first choices. If there be no majority, the candidate with

fewest ballots is "dropped" and his ballots are redistributed among the remaining files, according to the preference on each ballot. A ballot with no vote for any candidate still in the race goes on the ineffective file. If there be yet no majority, the candidate who now has fewest ballots is "dropped" and the ballots on his file are redistributed. The process is continued till somebody has a majority of the effective ballots.

This plan might be applied to fairly large constituencies, but its application to more than a few offices would be too laborious. Its application to nominations for the lower branch of a state legislature might leaven the whole state government with true democracy. Nominations for other offices might be made by plurality. The assemblymen and candidates for the assembly in the last election, having been freely chosen by the people, would, with their political friends, form rallying centers against any bosses who might propose unpopular candidates for nomination to the other offices.

Simple Second Choice Voting.—Governor La Follette suggested to the Wisconsin legislature "that the voter shall indicate upon his ballot his first and second choice of the candidates presented for each office. And that if no candidate has a majority over all candidates of first choice, then the candidate having the largest number of first and second choice votes shall be accorded the nomination." Under this plan victory might sometimes reward a selfish leader for advising his adherents to make no second choice votes or to give them only to insignificant candidates. On the other hand, the plan is simple enough to apply to all nominations, and it allows public opinion to be pretty freely expressed by the first choice votes. Public opinion, if it did not prevail at one primary, might do so at the primary of the next election.

The Wisconsin Plan.—The primary of the Wisconsin type is a general public primary, without party test, for nominating candidates by direct plurality vote. The plan was first tried in Minnesota, but a party test was afterwards adopted there. By the new Wisconsin law there is a ballot for each recognized party and a "non-partisan" ballot. On each appear names of candidates for nomination. The names have been placed there by petition. The voter retires to the booth with all the ballots and marks on one of them the names he prefers.

An improved plan of the same general type is found in the bill

for municipal "nominating elections" drafted by the National Municipal League. "Each competitor for the nomination of municipal elective office is required to state the platform or group of political principles upon which he seeks the nomination: and of the competitors standing upon the same platform, that one having the largest vote secures the exclusive right—provided the total vote for all candidates standing upon the same political platform equals — per cent of the vote cast at the nominating election—to have his name as the representative of that group of principles printed as candidate for office upon the official ballot used at the ensuing municipal election." This plan gives equal opportunities to old and new parties, and does not recognize organizations.

The primary of the Wisconsin type is a great advance upon our usual methods, not only because it is a really public primary, but also because direct pluralities are far better than indirect. If our forefathers had believed in plurality primaries, they would doubtless have nominated their candidates by direct vote. Ten thousand voters can make a plurality choice as easily as one hundred. For a majority choice the case is quite different. If ten thousand men were to reballot (*i. e.*, in nominating a candidate) they would have to reassemble at their several voting places; but one hundred men can meet once and reballot many times at a single sitting—hence the division of the party into caucuses. The delegate system was doubtless framed to co-ordinate the action of deliberative majority voting caucuses. Delegation was merely incidental to local primary meetings for discussion and repeated balloting. When we elect delegates by plurality we have forgotten what delegates are for. When we vote by plurality at the primaries a delegate system is worse than useless to us, for without promoting any real deliberation, it limits all interest in the primaries to certain contested districts, and confirms party members in other districts in their sleepy habit of leaving politics to the politicians.

While in the Wisconsin and similar primaries the fear of throwing away votes under the plurality method will usually prevent a new candidate from winning on his merits, without organized support, the same may not prove true of an acceptable officer seeking a renomination. It will be a vast gain in our political life if good public officers can appeal for renomination directly to the voters.

The organization of a successful reform movement within the

party, though laborious, will be easier than under the present methods, because of the simple direct manner of voting and because of the admission of independent voters.

Even where the voter will merely choose at the primary between two corrupt machines within the party, he may gain a trifle by the competition between them.

On the whole, the Wisconsin idea bids fair to be, throughout the country, our next advance in political mechanism. Proportional or preferential methods may come later, when the need of them becomes generally felt.

It seems to be the hope of some persons that, under the Wisconsin or similar plans, some of the practicable candidates for nomination will be proposed without elaborate preliminary organization, either by small but worthy political associations, or, better still, by improvised conferences of public-spirited citizens prominent in their several callings. On the other hand, it may be the hope of others that very large and truly democratic associations will hold without state intervention pre-primaries that are not shams, and will thus winnow out really representative candidates to go before the primaries. Either of these hopes may conceivably be fulfilled in some places for a time. In the end, however, we shall probably need official nominations or elections by some method more thorough than the plurality vote. Incidentally, we may have to reduce the number of our elective offices.

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In time we shall attain a really sensitive instrument of election. This will greatly educate the voter by a sense of more direct responsibility. To educate the voter is, in the long run, the important thing.